

FISCAL NOTE

SB 2870 - HB 3095

February 4, 2008

SUMMARY OF BILL: Reduces the maximum blood alcohol concentration level requirement from .08 percent to .02 percent for persons with one or more prior DUI convictions.

ESTIMATED FISCAL IMPACT:

Increase State Revenue - \$175,500
Increase State Expenditures – \$3,500 / One-Time
\$35,300 / Recurring

Increase Local Gov't Revenue - \$789,800
Increase Local Gov't Expenditures* - \$1,218,000

Assumptions:

- According to the Department of Safety (DOS), there were 7,800 DUI convictions in 2006, under the current law of .08% or more, that were posted to individuals with prior DUI offenses.
- 30% increase in convictions (or additional 2,340) for individuals registering less than .08%, but more than .02%.
- According to DOS, the Information Services Division would require one additional employee for data entry of additional convictions. The recurring increase to state expenditures for the one additional position is estimated to be \$35,300 per year (salary, benefits, supplies, communications, etc.). One-time costs associated with this position are estimated to be \$3,500 (computer and software).
- Law enforcement officers would require legal briefing. Such increase to state and local government expenditures are estimated to be not significant.
- Second-time offenders are estimated to be serving an average of fourteen (14) days of incarceration under current law.
- Based on weighted-average, local governments receive approximately \$37.18 per inmate per day from the state to house prisoners.
- The increase to local government expenditures is estimated to be \$1,218,000 (2,340 additional convictions x 14 days x \$37.18 per day = \$1,218,016) per year.

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- The average fine for DUI is estimated to be \$450.
- 100% of DUI fine revenue goes to local governments.
- 25% will not pay fine due to indigence.
- The increase to local government revenue is estimated to be \$789,800 (2,340 convictions x \$450 x 75% = \$789,750) per year.
- The cost for such offenders to have driver licenses reinstated is estimated to be \$100.
- 25% will not pay reinstatement fee due to indigence.
- The increase to state revenue is estimated to exceed \$175,500 (2,340 additional convictions x 75% x \$100 = \$175,500) per year.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/rnc